



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,767	06/27/2001	Gary T. Wroblewski	NC25561	4844

26933 7590 04/23/2004

ROBERT C. ROLNIK
NOKIA INC.
6000 CONNECTION DRIVE
MD 1-4-755
IRVING, TX 75039

EXAMINER

CHOW, CHARLES CHIANG

ART UNIT	PAPER NUMBER
----------	--------------

2685

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,767

Applicant(s)

WROBLEWSKI, GARY T.

Examiner

Charles Chow

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

**Office Action for Amendment
Received on 2/6/2004**

Drawing

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show any descriptive label in each block in Fig. 3, as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP §608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 8, 15-16, 18, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 6,101,531) in view of Scannell et al. (US 5,377,354).

Regarding **claim 1**, Eggleston et al. (Eggleston) teaches a method for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria (author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-

48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising a receiver (transceiver 202)) receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and a processor (207) for admitting the wireless message provided that the content indicator matches the second record data source identifier (serial number 801, col. 10, 18-40) and the at least one chosen mood class matches the first record data instance (802, author or subject or date, or size, or priority). Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15).

Eggleston does not clearly teach the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data. However, Scannell et al. (Scannell) teaches the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the message screening is based upon user created, modified, the rules 12 for screening the incoming electronic mail message, using conventional keyboard, for message store, forwarding, or putting away in abstract, Fig. 1-2; with different data in each field for the rules, including sender, date, subject, name, addressee, key phrase in column 5-6; the rule construction in column 8. The rules for screening message is assigned with priority, and depending upon the situation and time when user creates the rule for matching the classes, such as keyword, name, addressee, subject). Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to modify Eggleston above, and to include Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Regarding **claim 2**, Eggleston teaches adding a mood class association to the phone book record wherein the first record data instance comprising mood class (the user can define, associating, filter attributes for priority, author, keywords in col. 8, lines 21-63, the user can modifies the set or plurality of user selected criteria for associating filtering attributes to author, col. 17, lines 6-15), wherein the first record data instance comprising mood class (author, subject, keyword).

Regarding **claim 8**, Eggleston teaches a mobile station (105 or 201) for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria (author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and admitting the wireless message provided that the content indicator matches the second record data source identifier (serial number 801, col. 10, 18-40) an the at least one chosen mood class matches the first record data instance (802, author or

subject or date, or size, or priority). Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15).

Eggleston does not clearly teaches an input device, the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data, However, Scannell et al. (Scannell) teaches the input device (keyboard, abstract), the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the user created, modified rules-control 12 for screening incoming electronic mail message, using conventional keyboard, abstract, Fig. 1-2; the fields for the rules in column 5-6; the rule construction in column 8). Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston above, and to include Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Regarding **claim 15**, Eggleston teaches a method for selecting mood-ring (modifying the set or plurality of user selected criteria, col. 17, lines 6-15) for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria

(author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and admitting the wireless message provided that the content indicator matches the second record data source identifier (serial number 801, col. 10, 18-40) and at least one chosen mood class matches the first record data instance (802, author or subject or date, or size, or priority). Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15).

Eggleston does not clearly teach the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data. However, Scannell et al. (Scannell) teaches the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the user created, modified rules-control 12 for screening incoming electronic mail message, using conventional keyboard, abstract, Fig. 1-2; the fields for the rules in column 5-6; the rule construction in column 8). Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston above, and to include Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Art Unit: 2685

Regarding **claim 16**, Scannell teaches the receiving a mood class selection command (for creating rules for screening incoming messages) and listing at least one mood class indicator (sender field 26, date filed 27, addressee field 29, subject field, key-phrase field 40 in column 5-6).

Regarding **claim 18**, Eggleston teaches editing the at least one mood ring associated with the at least one mood class indicator (the user can define filter attributes for priority, author, keywords in col. 8, lines 21-63, the modifying the set or plurality of user selected criteria (col. 17, lines 6-15).

Regarding **claim 21**, Eggleston teaches user definable filter parameters is the profile outline data for that user selected, defined, mood class filter.

3. Claims 3-4, 17, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, as applied to claim 2 above, and further in view of Muramatsu (US 2001/0051,536 A1).

Regarding **claim 3**, Eggleston and Scannell does not clearly teach the receiving a command to couple the phone book record to the mood class. However, Muramatsu discloses the selecting the phone record from RAM 6 and receiving command to couple the phone-book record, by using the buttons 21-23, as shown above in Fig. 6(a)-6(f), [0043-0046].

Muramatsu teaches an improved efficient method for notifying user of incoming call utilizing different sound associated with caller's name and telephone number (steps 102, 106, Fig. 3, Fig. 4, Fig. 7a-7b, [0012-0013]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston above, and to include

Muramatsu's associating selected phone record from RAM to phone book utilizing buttons 21-23, such that the phone record could be efficiently updated.

Regarding **claim 4**, Muramatsu teaches the selecting a phone-book record comprises listing a list of phone -book records and receiving a name choice matching a list of phone book records (the phone book record in Fig. 4, RAM 6 in abstract, and the step 106 for name in the received message).

Regarding **claim 17**, Muramatsu taught in Fig. 6(a)-6(b), for the highlighting, the cursor for scrolling, the highlighting 01, for Beep 1, as a second mood-ring class indicator, for the highlighting a current mood-ring indicator, and receiving a cursor movement signal and highlighting a second mood ringing class indication, Beep 1.

Regarding **claim 19**, Muramatsu taught the receiving key-press command from menu button 21, set button 22, and scroll button 23, for the associated key-press signal associated with a mood-ringing class selection command.

4. Claims 5-7, 9, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, as applied to claim 2 above, and further in view of De Boor et al. (US 6,173,316 B1).

Regarding claim 5, Eggleston and Scannell do not clearly teach the adding of the criterion to second data record identifier.

Regarding **claim 5**, De Boor et al. (De Boor) teaches the wireless communication device having man-machine interface, using markup language, for

interfacing with user (abstract, Fig. 1-2). In Fig. 8, col. 13, lines 10-40, De Boor teaches the phone book contains telephone number, address, ring tone. De Boor teaches the new entry could be added to the phone book (as shown (col. 25, lines 41-47). De Boor teaches the filter could be added for criterion of receiving the incoming call (col. 40, lines 50-67). De Boor teaches any data augment can be entered to the phone book (col. 44, lines 19-27). De Boor considers the efficient man-machine interface by using the markup language (col. 5, line 30-32), such that the software complexity could be reduced. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Muramatsu above, and to include De Boor's efficient man-machine interface by using the markup language, such that the software for man-machine interface could be efficient, by utilizing markup language, for reducing the software complexity. Regarding **claim 6**, De Boor teaches the adding a phone number to phone book, as shown in col. 5, lines 20-29, col. 25, lines 41-47, for creating new entry, modifying entry, for telephone number or ring tone in phone book.

Regarding **claim 7**, De Boor teaches the man-machine interface could also add address, because De Boor considers any data augment could be entered into phone book, including address field, as shown above. De Boor teaches the creating new entry, modifying entry, for any data augment, including telephone number and address, such that the phone book could be updated efficiently by using the man-machine interface.

Regarding **claim 9**, De Boor taught above in claim 5 the creating, modifying ringing tone

class to the phone book (col. 25, lines 41-47), as the means for adding a mood ringing class to phone-book comprising mood ringing class.

Regarding **claim 12**, De Boor taught in claim 5 above a wireless device, and a second input device (scroll button 21) for adding criterion filter (above) to the phone book.

5. Claims 10-11, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, De Boor, as applied to claim 9 above, and further in view of Muramatsu.

Regarding **claim 10**, Muramatsu teaches a second input device for selecting the phone-book record using scroll button 23 for receiving command to associate the phone record to mood-ringing class.

Regarding **claim 11**, Muramatsu teaches the a display of listing in Fig. 6(a)-6(f) and in Fig. 4. Muramatsu discloses a third input device, set button 22, is utilized associate the name [0045] to matching a list in phone book record, by setting the name to the phone book.

Regarding **claim 13**, Muramatsu taught in claim 11 above for the third input for adding a phone number to the phone book record, and the communication device.

Regarding **claim 14**, De Boor has considered a fourth input device for adding an address to the phone book for a mobile wireless device, by using the softkey 130, for creating new entry address (in col. 25, lines 41-47; col. 25, lines 58-67).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, Muramatsu, as applied to claim 19 above, and further in view of Shnier (US 2002/0009,184 A1).

Regarding **claim 20**, in the above, it does not clearly teach the key-press comprising threshold setting signal. However, Shnier teaches the call screening for notifying user, based on the caller ID which has the associated corresponding distinct ring sound for notifying the incoming call (abstract, figure in cover page). Shnier teaches the keys 205b (figure in cover page) has different sound settings to choose as the alerting threshold setting signal by using different ring sound associated with key 205b, for distinctly notifying the user of the caller's incoming call, such as using one beep or three beep. Shnier considers the efficient call notification by using the distinct sound associated with the caller's ID, such that the called party could be efficiently identified the caller ([0026]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Muramatsu above, and to include Shnier's distinct ring sound associated with caller, such that the called party could efficient identify the caller.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's amendment for no teachings of the mood of the user to determine at least one chosen mood class, the identity of the caller, new reference has been included in the office action for patent to Eggleston et al. (US 6,101,531) and Scannell et la. (5,377,354).

Regarding mood of the user to determine at least one chosen mood class, Eggleston teaches the mood class in user definable filter parameters for rejecting, accepting a incoming message (abstract, Fig. 5, Fig.8, mood classes author, subject, date, keyword, message size in col.8, lines 22-63). Regarding the identity of the caller, Eggleston teaches the author in user definable filter parameter, the message serial number 801, for the identity of the caller. In view of the above references, claims 1-21 are remaining in the rejection manner.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - A. WO 01/39,577 A1, 7, June 2001, Salmi teaches the transmitting filtering parameter 30-32 to mobile terminal for filtering electronic information before sending to mobile station, having header, content indicator, 22, for main message classes, personal, advertisement, or informative, and second data source identifier, service provider ID, service subscription ID, service content ID, Fig. 3a-3b, Fig. 4-5, page 24-claims 8-9, pages 5-6, pages 10-15.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Art Unit: 2685

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Technology Center 2600 Customer Service Office
whose telephone number is (703) 306-0377.

Charles Chow C.C.

April 9, 2004.

Quochien B. Vuong 4/19/04

QUOCHIEN B. VUONG
PRIMARY EXAMINER